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NDLS Update

News from the Notre Dame Law School

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KELLEY COLLINS, DESIGNER



Seasons Greetings!

From all of us in the Law School Relations Office, we would like to extend our best wishes to you and your families for a happy, healthy holiday season. During 2003, we look forward to hearing about your activities, awards, career moves and other events in your life that you consider "*Update* worthy." You may reach us by email at hoys.4@nd.edu or lawalum@nd.edu

Happy Holidays!

Kitty Hoyer and Kelley Collins

2003 Distinguished Lecture Series

The 2003 Distinguished Lecture Series: Legislating Corporate Ethics, will take place this Spring at the Law School. As reported in the popular media, the recent corporate scandals have shaken the foundation of American capital markets. Investors have suffered while some corporate professionals prosper. The Law School's 2003 Distinguished Lecture Series will focus on legislative responses to the well-publicized scandals and, in particular, efforts by Congress and other regulators to proscribe ethical norms for corporate management and their professional advisors. Notable scholars from around the country will visit the law school each month to discuss issues relating to corporate law and ethics. Speakers scheduled in January and February include: Professor Richard Painter, University of Illinois; Joseph Grundfest, former SEC Commissioner and currently the W.A. Franke Professor of Law and Business, Stanford University; and Professor James D. Cox, Brainerd Currie Professor of Law, Duke University.

For a schedule of events, please refer to the Law School Calendar at www.nd.edu/~ndlaw.

Faculty Notes

With great joy we report that Professors Tricia and A.J. Bellia are the proud parents of a bouncing baby girl. Katherine Anna Bellia was born November 26, 2002, and weighed in at 8 lbs. 13 ounces. The new family is doing well and all are looking forward to the holidays. The "Professors Bellia" remain non-committal regarding Katherine's teaching career.



Matthew Barrett presented the CLE program "Law and Accounting in a Post-Enron World" on November 23, 2002 at the Law School. His article *Enron, Accounting, and Lawyers* which appeared in the Summer issue of the NOTRE DAME LAWYER has been published by Foundation Press as a "Special Update" to the unabridged and concise versions of the third edition of *Accounting for Lawyers* the casebook he authored with Professor David Herwitz of Harvard Law School. Professor Barrett also was reelected as chair of the Student Welfare Subcommittee of the University's Faculty Board on Athletics. He will be on a research leave during the spring semester.

Joseph Bauer published the 2003 Annual Supplements to Vols. I, III, IV, V, VI, VII, VIII, IX, X and XI of KINTNER FEDERAL ANTITRUST LAW TREATISE (Anderson, 2002).

Paolo Carozza presented an invited lecture, "Subsidiarity and the Dilemma of Fundamental Rights in the Constitutional Structure of the European Union and Its Member States," at Valparaiso University Law School, in December, 2002. His presentation "The Death Penalty in the United States: An International and Comparative Perspective," was featured at the conference, An American Paradox: Justice and the Death Penalty. The conference was held at St. Mary's College during November, 2002.

Tex Dutile gave a talk at St. Mary's College on "Law School and Careers in Law" on November 7, 2002.

Rick Garnett was a featured speaker at the Christian Legal Society's National Student Conference, and at its Scholars' Conference, in Savannah, Georgia, in November, 2002.

Roger Jacobs published *Pulling the Pieces Together, What Have We Learned? A Summary of the Joint Study Institute: Canadian Focus: Global View* in the 2002 CANADIAN LAW LIBRARIES/BIBLIOTHEQUES DE DROIT CANADIENNES, Volume/Tome 27, No.4. Professor Jacobs served as reporter for the third Joint Study Institute held last May at Royal Roads University, Victoria, British Columbia. The institute is hosted every two years by one of four participating law library associations and is intended to provide an introduction to the host country's legal heritage and traditions.

Dean Patricia O'Hara was the featured speaker at a luncheon held in conjunction with the fifth Women

in Law Conference held October 17 & 18, 2002, in Indianapolis, IN. Dean O'Hara joined other prestigious presenters when she addressed approximately 400 Indiana lawyers attending the Friday luncheon. Nancy Gargula '82, and recently appointed U.S. Bankruptcy Trustee, introduced Dean O'Hara, as a "woman of firsts" and noted that Dean O'Hara is the first woman law dean in Indiana. On a more personal note, Nancy said that learning corporation law from Dean O'Hara was the highpoint of her legal education.

John Robinson presented a CLE lecture "The Effect of the Current Clerical Sexual Abuse Scandal in the Catholic Church in America on American Law" on November 23, 2002, at the Law School. He also spoke in December to the St. Joseph County Bar Association on recent developments in legal ethics.

Thomas Shaffer addressed members of the Fulton County Bar Association, Rochester, Indiana, in August, on ethics in estate planning by lawyers. He spoke to members of the St. Joseph County Bar Association on October 7, 2002, in South Bend concerning moral reasons for providing free legal services to low-income clients. During the October 7th meeting, he received an Exceptional Service Award from the agencies administering the two local "pro bono" programs.

Professor Shaffer presented the annual Villanova Lecture "Lawyers as Prophets, Prophets as Lawyers" at St. Thomas University, Miami, Florida, on October 24, 2002. He recently published *American Legal Ethics*, in *THEOLOGY TODAY*, as well as *MORAL MEMORANDA FROM JOHN HOWARD YODER: CONVERSATIONS ON LAW, ETHICS, AND THE CHURCH BETWEEN A MENNONITE THEOLOGIAN AND A HOOSIER LAWYER* (Wipf and Stock, 2002). Tom has been appointed adjunct professor at Valparaiso University, where he will teach the required course in legal ethics in the spring semester.

Dinah Shelton presented "Corporate Liability for Human Rights Abuses under the Alien Tort Claims Act" on October 30, 2002. The event was sponsored by the International Human Rights Society and the Business Law Forum.

Jay Tidmarsh co-authored with Roger H. Trangsrud, *COMPLEX LITIGATIONS: PROBLEMS IN ADVANCED CIVIL PROCEDURE* (Foundation Press, 2002). He presented a paper entitled *Democracy, Globalization, and Law: Some Cautionary Reflections* at the Democracy, Globalization and Law Conference, co-sponsored by Hamline University School of Law and the Center for Process Studies, in St. Paul, Minnesota, September 21, 2002.

News from the Center for Civil and Human Rights

The CCHR has been extremely busy this semester with a number of outstanding programs and events. On November 4, 2002, Center Director, Juan E. Mendez and Major Charles Rose, Professor of Criminal Law, Judge Advocate General's School, U.S. Army, presented "Whither Due Process? Balancing National Security Concerns

and the Rights of Individuals in the Post 9/11 World." The Center presented a Human Rights Roundtable "Understanding and Preventing Crimes Against Humanity: An Integrated Approach" on November 11, 2002 with Sumner B. Twiss, Distinguished Professor of Human Rights, Ethics, and Religion, Florida State University. On November 14, 2002, the International Human Rights Society, along with the CCHR, sponsored "The European Protection of National Minorities" a lecture by University of Denver College of Law Professor Peter Kovacs, a Fulbright Exchange Professor. The Center's students, Gisela de Leon (Panama) and Paulina Vega-Gonzalez (Mexico) presented "Combating Impunity in Latin America" on November 21, 2002. The lecture is one in a series intended to give current L.L.M. students the opportunity to present different perspectives on current human rights issues.

Finally, the Sant'Egidio Community and the Joan B. Kroc Institute for International Peace Studies, as well as the CCHR and a number of other local organizations, sponsored a two-day event "An American Paradox: Justice and the Practice of the Death Penalty" featuring Ms. Sheila Murphy, retired Presiding Judge of the Sixth Municipal District Circuit Court of Cook County. NDLS Professor Paolo Carozza was a featured speaker.

News from the Legal Aid Clinic

During the 2002 Christmas break, five Notre Dame Law students, as well as Becca Houghton, Immigration Clinic Fellow, and Professor Barbara Szweda, Director of the Immigration Clinic, are joining fourteen Masters of Divinity students and Rev. Michael Connors, Director of the Divinity Program at Notre Dame, to travel to the Mexican border. This trip presents a unique opportunity for academic and personal growth for Notre Dame students. The trip will open the border to students seeking to gain a new understanding of needs that spur migration and the Catholic Church's and other Christian churches' responses to those needs. It is an opportunity to realize the significance of a student's work with clients in the Immigration Clinic, while appreciating the realities of an immigrant's life and reasons for leaving their homes. Students will be involved in a variety of activities that include conversations with persons of different perspectives and viewpoints on a range of social, economic, faith and political issues that are central to the current border situation. In addition, students will engage in reflection to help them internalize their experience and identify the change they can effect through their understanding of legal structures and their call to be a "different kind of lawyer."

News from the Kresge Law Library

The Paul A. Guarnieri Endowment for Rare Legal Materials has recently been established to the benefit of the Kresge Law Library. The fund will enable the Law Library to purchase unique items and expensive treasures. Currently, the Law Library houses its rare books in the Hesburgh library's special collections area. A list of rare materials the library already owns is available under "Special Collections" at <http://innopac.law.nd.edu/>

Law School Briefs

The first Olin Distinguished Lecture of the academic year was given by Professor Patrick Kelly, Southern Illinois University Law School, on November 21, 2002. Professor Kelly's lecture "Childhood Insanity and Infirmary in the Law of Torts: The Line Between Justification and Excuse" was held in the Law School Courtroom.



Administrator & Staff Notes

✱ The Law School has been saddened these past few months by the deaths ✱
of a number of beloved family members.

Elaine Blakey, wife of Professor Robert Blakey '57, '60J.D., passed away, Saturday, December 7, 2002. Mrs. Blakey was a graduate of St. Mary's College. She is survived by three sons, Michael '81, '84J.D., and his wife Natalie of Center Moriches, NY, Matthew of Washington, DC, Jack '88, '92J.D., and his wife Christina of Pembroke Pines, FL; and five daughters, Elizabeth Martinez and her husband, Daniel of South Bend, IN, Anna Maria of Santa Monica, CA, Katy Cox '93, '96J.D., and her husband, Michael of Chicago, IL, Christine and her husband, Jon of Phoenix, AZ, and Margaret and her husband, Kevin of Chicago, IL.

Memorial contributions may be made to St. Margaret's House, 117 North Lafayette Blvd., South Bend, IN 46601 or to the Notre Dame Law School Scholarship Fund.

Joy White, administrative assistant to Dean Patricia O'Hara, lost her father, Edward J. White, of Wilkes-Barre, PA, October 27, 2002.

Jody Klontz, administrative assistant to the Associate Dean's Office, lost her father Harry Ruszkowski, of South Bend IN, November 13, 2002.

Cathy Pieronek '84, '95J.D. formerly our director of alumni relations, lost her father, Richard M. Pieronek, of Grosse Pointe Woods, MI, November 29, 2002.

Please keep these members of the Notre Dame family in your prayers,
especially during this holiday season.



Alumni Notes

New Additions

Allison (McCarthy) Miller '95, '99J.D., and her husband Patrick welcomed a new baby girl, Sarah Quinn Miller, on June 14, 2002. Sara joins her big brother, John Patrick, who is two years old. The Miller's have relocated to the Orlando area where Patrick is working for Lockheed Martin and Allison is currently staying at home with their young children.



Deborah Dezelan '98J.D., and her husband, Chris, announce the birth of their son, Jack Andrew, on September 11, 2002. Deborah is practicing corporate law and intellectual property licensing with Latham and Watkins in Chicago, IL.

Marriages

Kate Singer '97 married Joel Williams on August 31, 2002, in South Bend, IN.

Bridget Maloney '01 married Augie Lankford on October 5, 2002, in Maryland. Frances Nicastro '01 was a bridesmaid and Tammy Brandt '00 was also in attendance.



1970s and 80s

John Cariotto '74J.D., writes that he has spent the better part of 15 years working on an automation system for the Nebraska Court system that he is sure "had its genesis in Professor Link's technology and law class." Currently serving as Associate State Court Administrator, Cariotto has recently been honored for his extensive work on a statewide trial court computer system now being used in 185 of Nebraska's 186 trial courts.

Matthew Miklave '84J.D., a labor and employment partner with the New York-based law firm, Epstein Becker & Green, P.C., was elected in November, 2001, to a two year term on the Norwalk (Connecticut) Common Council. On November 26, 2002, after one year in office, the 15-member council honored the freshman legislator by electing him President of that body.

Paul Peralta '79, '86J.D., was recently featured in the SOUTH BEND TRIBUNE for his work in Chile. Paul, who is fluent in Spanish, has spent a week in each of the past three years helping and instructing Chilean lawyers in the wake of recent changes to their criminal code.

Tony Stites '88J.D., a partner with Barrett & McNagny, Ft. Wayne, IN, was one of five attorneys featured in a BUSINESS PEOPLE MAGAZINE article entitled *An ounce of prevention . . . Five local attorneys discuss*

how employment and labor law affect your business. In the article, Tony noted that “communication” is key to successful employer - employee relations. He went on to note that treating employees “fairly and consistently” is vital in today's business environment.

1990s and 00s

Stone Grissom '00J.D., an associate with Gordon Thomas Honeywell, Tacoma, WA, was recently honored by Washington Law & Politics as a “Rising Star.” He also was nominated and confirmed as the Washington State Bar Association Trial Advocacy Chairman for 2002-2003. Stone credits his early successes to the training he gained at NDLS, “specifically from Professors Seckinger, Jourdan, Kommers and the entire Legal Aid Clinic.”

John T.A. Rosenthal '99J.D., recently published *Batson Revisited in America's 'New' Era of Multiracial Persons* in Vol. 33, Issue 1, of the SETON HALL LAW REVIEW. The article examines the continuing problem of the use of peremptory challenges to exclude people from juries based on race, with particular focus on the problems multiracial persons pose to the *Batson* framework used to root out pretextual attorney reasons for venire person dismissals.

Kate Singer '97J.D., a former deputy prosecutor for St. Joseph County, Indiana, has joined the YWCA of St. Joseph County to administer the newly created court watch program. Kate will monitor domestic violence cases and coordinate court advocacy for YWCA clients.

2001s and 02s

Matthew A. Anderson '02J.D., has joined McAndrews, Held & Malloy, Ltd., Chicago, as an associate. McAndrews is a national intellectual property and complex technology law firm. Matthew's undergraduate degree is from Arizona State where he majored in mechanical engineering.

Sunil M. Bhuta '02J.D., has joined Bollinger, Ruberry & Garvey, Chicago, as an associate.

Julie (Foster) Bueche '01J.D., recently accepted a position at her undergraduate college (Olivet College) as Vice President for Community Life.

Patrick K. Dahl '02J.D., has joined Bollinger, Ruberry & Garvey, Chicago, as an associate.

Paul Hanley '02J.D., has joined the Philadelphia office of Cozen O'Connor as an associate.

Laura Patterson Hoffman '02J.D., reports that she has passed the Texas Bar Exam and is an associate at King & Spalding, Houston, Texas.

Ethan McKinney '02J.D., has accepted a position at the South Bend law firm of Tuesley and Hall. Tuesley and Hall primarily practices corporate law, with many small business clients and does a fair amount of general practice as well.

Beth L. Riga '02J.D., has joined the Indianapolis office of Bose McKinney & Evans LLP where she will be working in the firm's litigation group.

Alan Szuma '02J.D., has joined Clark Hill PLC in their Birmingham, Michigan, office where he will practice primarily in the areas of corporate law, and trusts and estate planning.

Student Notes



Thanksgiving Food Drive a Huge Success!



The Social Justice Forum's Annual Thanksgiving Baskets Drive was held this past November. SJF President, Kristie McCann (3L) from Deep River, CT, reports that more families were assisted than ever before. This year, 160 Thanksgiving dinners were delivered to needy families in the South Bend / Mishawaka area. Originally, the group was planning to deliver 100 dinners, but with the poor economy there seemed to be an even greater need for assistance this year. "We just couldn't say 'No!' so we raised more money," said Kristie. The students were creative in their fund-raising efforts including an "Amnesty Day" where students "pay" professors NOT to be called on for class. More than \$1500 was raised by this event alone. In addition, faculty and staff members donated funds to enable SJF to purchase food for family baskets. In all, the event was a huge success and one that serves to remind us of the true meaning of the season.



Ryan Carson (3L) and his wife, Anna, recently welcomed twins Elijah Christopher and Aria Wynn on October 11, 2002. Ryan reports that life is good for this family of four!



Third Year Students on the Run

Third year law students Jim Heiser and Angie Little ran the Chicago Marathon Sunday, October 14, 2002. Amidst a crowd of nearly 37,500, Jim finished the race in 4:01. Chicago was Heiser's third marathon. Angie, who was running her first marathon, finished in 3:54.



2L's Win Football Championship for 2002

Coming off of a disappointing loss last year, *Vanilla Thunda* returned to the flag football finals this fall at Notre Dame Stadium and was victorious. The championship team avenged its only loss of the season by defeating a team from the Department of Chemistry, 13-12. The game drew a large crowd of support from the NDLS community, as the enthusiastic VT fans witnessed an exhilarating contest that was not determined until the final play. Comprised of Dan Bubar of St. Joe, MI, Geoffrey Ciereck of Syracuse, NY, JJ Gonzales of Beaverton, OR, Brian Josias of Ft. Lauderdale, FL, Chris Kubiak of Midland, MI, Scott Leaman of Wycoff, NJ, Jason Linster of Aurora, IL, James Murray of Huron, OH, Ken Perry of Orland Park, IL, Joe Reimer of Colleyville, TX, Ken Vorrasi of Rochester, NY, and Bart Walker of Charlotte, NC, *Vanilla Thunda* eagerly anticipates defending their title as 3L's next year.

To Submit Information to the *NDLS Update*

phone: (574) 631-6891 fax: (574) 631-9299 e-mail: lawalum@nd.edu

And don't forget to keep up on Law School events through the NDLS web site, www.law.nd.edu

